IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Bail Appl..No. 2190 of 2007()

(CRIME NO. 200/2007 OF KAYAMKULAM POLICE STATION)

PETITIONERS/ACCUSED 1 TO 3:

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1. SANTHOSH, S/O.VASAVAN, AGED 26 YEARS, THATTAVAZHI PUTHEN VEEDU, PATHIYOOR PANCHAYATH WARD 9, ERUVA KIZHAKKUM MURI, PATHIYOOR VILLAGE.

2. SATHEESH, S/O.VASAVAN, AGED 23 YEARS, THATTAVAZHI PUTHEN VEEDU, PATHIYOOR PANCHAYATH WARD 9, ERUVA KZHAKKUM MURI, PATHIYOOR VILLAGE.

3. SUMESH, S/O.VASAVAN, AGED 29 YEARS, THATTAVAZHI PUTHEN VEEDU, PATHIYOOR PANCHAYATH WARD 9, ERUVA KIZHAKKUM MURI, PATHIYOOR VILLAGE.

BY ADV. SRI.P.SREEKUMAR
SRI.K.S.MANU (PUNUKKONNOOR)

RESPONDENTS: COMPLAINANT:

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1. SUB INSPECTOR OF POLICE, KAYAMKULAM POLICE STATION, ALAPPUZHA DISTRICT.

2. STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI. K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2190/2007

Dated this 12th day of April, 2007

O R D E R

The petitioners, who are accused Nos. 1 to 3 in Crime No.200/2007 of Kayamkulam Police Station for offences punishable under Sections 283, 324, 326 and 294(b) IPC read with Section 34 IPC, seeks their enlargement on bail. The occurrence took place on 28.3.2007. The petitioners were arrested on the next day.

2. The learned Public Prosecutor opposed the application submitting inter alia that the defacto complainant has sustained injuries including fracture of his right hand.

3. Having regard to the facts and circumstances of the case, the duration of the judicial custody of the petitioners and the present stage of the investigation, I am inclined to grant bail to the petitioners, but only from a future date.

4. Accordingly, the petitioners are directed to be released on bail with effect from 23.4.2007, on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M, Kayamkulam and subject to the following conditions:

(a). The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

(d). The petitioners shall not commit any offence while on bail.

5. If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs